IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF JUNE

TWO THOUSAND AND SEVEN

:PRESENT:

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NOs : 1088 and 2783 of 2006

W.P.No. 1088/2006:

Between:

Grater Banjara Housing Society, Rep. by its Secretary and Landlord, Sri Ch. Bhoopal Goud, S/o. Ch. Ayodya, Occ: Secretary, R/o. Flat No. 302, Odeon Enclave, Domalguda, Hyderabad,

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PETITIONER

AND

1 The State of Andhra Pradesh, Rep. by its Spl. Chief Secretary to
Government, Revenue Department, Secretariat Buildings, Hyderabad,

2 The District Collector, Hyderabad District, Nampally, Hyderabad,

3 The Mandal Revenue Officer, Shaikpet Mandal, Hyderabad,

4 K. Vijaya Kumar S/o. late Raghaveswara Rao
r/o. Smitha Towers, Tikkle Road, Vijyawada, Krishna District

5 K. Satyanarayana S/o. Raghaveswara Rao
H.No. 18-13-135/1, Nagarjuna Nagar, Tarnaka, Hyderabad

6 Smt. Bobba Susheela W/o. Omkar Rao
r/o. 18-13-135/1, Nagarjuna Nagar, Tarnaka, Hyderabad

7 Sri Veeramachineni Ram Chander Rao S/o. Bapaiah
r/o. H.No. 18-13-135/1, r/o. Nagarjuna Nagar, Tarnaka, Hyderabad

8 Y. Suguna W/o. Nageswara Rao
r/o. Smitha Towers, Tikkle Road, Vijyawada, Krishna District

9 Smt. K. Venkata Subbamma W/o. late K. Venkateswara Rao
r/o. Penamaluru village & Mandal, Krishna District

10 K. Appa Rao S/o. late K. Venkateswara Rao
r/o. H.No. 28, Sitapuram Colony, Poranki,Penamaluru Mandal Vijyawada, Krishna District
(Note: Respondents 4 to 9 are rep.by their General of Power of
Attorney Holder, Sri K. Appa Rao i.e. 9th respondent herein)

11 A.A. Rama Raju S/o. late Soma Raju

r/o. 34, Journalist Colony, Road No.3, Banjara Hills, Hyderabad

12 Smt. A. Suryakantham W/o. late Soma Raju, r/o. 35, Journalist Colony, Road No.3, Banjara Hills, Hyderabad

13 A. Suryanarayana Raju S/o. late Soma Raju, r/o. 35, Journalist Colony, Road No.3, Banjara Hills, Hyderabad

14 P. Jhansi W/o. late P. Rama Chandra Raju r/o. Plot No. 501, Bhavya Green Park Residency, H.No.7-1-300, S.R. Nagar, Hyderabad

15 B.H. Rajya Lakshmi W/o. B.H. Madhu r/o. Plot No. 501, Bhavya Green Park Residency, H.No.7-1-300, S.R. Nagar, Hyderabad

16 V. Radhika W/o. Sataiah r/o. Plot No. 501, Bhavya Green Park Residency, H.No.7-1-300, S.R. Nagar, Hyderabad

(R.R 4 to 10 and 11 to16 impleaded as per court order dated 25-6-2007 in WPMP 1696 of 2006 and 9051 of 2007 respectively)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus directing the 1st Respondent to receive the market value of Rs. 1,000/- per Sq. Mtr on par with G.O.Ms.No. 1843 to 1845 dated 26-10-2005, Revenue (Assn.III) Department, and regularize the land in an extent of 27, 762 Sq. Mtrs. situated in Sy.Nos. 129/85(129/50, D2, D3, D4 and D6) T.S. Nos. 28 and 29, H-Block, Ward-9, Road No. 12, Banjara Hills, Hyderabad, in pursuance of the directions in W.A.No. 859/1991 as well as W.P.No. 2588/97 and as per the G.O.Ms.No. 583, Revenue (Assn.III) Department dated 11-8-2004 in the interests of justice and fair play and to pass such other order or orders as this Hon'ble Court

may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONER: SRI V. RAJAGOPAL REDDY
COUNSEL FOR THE RESPONDENTS 1to 3: ADVOCATE GENERAL

W.P.No. 2783/2006:
Between:

1. K. Vijaya Kumar S/o. late Raghaveswara Rao
2. SriK. Satyanarayana s/o. K. Raghaveswara Rao
3. Smt. Bobba Susheela w/o. B.Omkar Rao
4. Smt. Veeramachineni Indira w/o. Ramachandra Rao
5. Smt. Y.Suguna D/o. K. Raghaveswara Rao
6. Smt. K.Venkata Subbamma w/o. late K.Venkateswara Rao.
7. K. Appa Rao S/o. late K. Venkateswara Rao

R/o. Penamaluru village and Mandal, Krishna District
(Note: Petitioners 1 to 6 are rep.by their General of Power of

Attorney Holder, Sri K. Appa Rao i.e. 7th petitioner herein)

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PETITIONERS

And

1. The Government Andhra Pradesh, Rep. by its Spl. Chief Secretary to
Government, Revenue Department, Secretariat Buildings, Hyderabad,
2 The District Collector, Hyderabad District, Nampally, Hyderabad,
3 The Mandal Revenue Officer, Shaikpet Mandal, Hyderabad,

..RESPONDENTS

..Contd…

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the respondents in not regularizing the lands to an extent of Ac. 11.16 Gts situated in Sy. No.129/85, T.S.No. 28 and 29, H-Block, Ward-9, Road No.12, Banjara Hills, Hyderabad, in favour of the petitioners on payment of the then Market value

as illegal, arbitrary, contrary to law and in violative of Article 14 of Constitution of India and contrary to the direction passed by this Hon'ble court in W.A.No. 859 of 2001 and consequentially direct the 1st respondent and regularize the lands to an extent of Ac.11.16 Gts. Situated in Sy. No. 129/85, T.S.No. 28 and 29, H-Block, Ward-9, Road No.12, Banjara Hills, Hyderabad, in favour of the petitioners on payment of the then market value immeidatley.

COUNSEL FOR THE PETITIONERS: SRI KANAKAMEDALA RAVINDRA KUMAR

COUNSEL FOR THE RESPONDENTS: ADVOCATE GENERAL

These petitions coming on for hearing upon perusing the petitions and affidavits filed herein and upon hearing the arguments of the above mentioned counsels, the court made the following:

ORDER:- Learned Advocate General submits that pursuant to the orders of this court, the petitioners applications along with some others applications are pending and, therefore, it is for the Government to take a policy decision and pass appropriate orders, in accordance with law. Hence, it is stated that the Government will take some more time to take a final decision and, therefore, he requested to adjourn the matter by two (02) months, so as to enable the Government to take a final decision.

Post W.Ps. after two months for reporting with regard to the decision taken by the Government.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Special Chief Secretary to Government, State of Andhra Pradesh, Revenue Department, Secretariat Buildings, Hyderabad,
2 The District Collector, Hyderabad District, Nampally, Hyderabad,
3 The Mandal Revenue Officer, Shaikpet Mandal, Hyderabad,
4. K. Appa Rao S/o. late K. Venkateswara Rao r/o. H.No. 28, Sitapuram Colony, Poranki,Penamaluru Mandal Vijyawada, Krishna District. (on behalf of himself and of Sri K. Vijaya Kumar, Sri K.Satyanarayana, Smt. Bobba Susheela, Sri Veeramachineni Ram Chander Rao . Smt,. Y.Suguna, and Smt. K. Venkata Subbamma)

5. A.A. Rama Raju S/o. late Soma Raju
r/o. 34, Journalist Colony, Road No.3, Banjara Hills, Hyderabad
6. Smt. A. Suryakantham W/o. late Soma Raju, r/o. 35, Journalist Colony, Road No.3, Banjara Hills, Hyderabad
7. A. Suryanarayana Raju S/o. late Soma Raju, r/o. 35, Journalist Colony, Road No.3, Banjara Hills, Hyderabad
8. P. Jhansi W/o. late P. Rama Chandra Raju
r/o. Plot No. 501, Bhavya Green Park Residency, H.No.7-1-300, S.R. Nagar, Hyderabad
9. B.H. Rajya Lakshmi W/o. B.H. Madhu
r/o. Plot No. 501, Bhavya Green Park Residency, H.No.7-1-300, S.R. Nagar, Hyderabad
10. V. Radhika W/o. Sataiah
r/o. Plot No. 501, Bhavya Green Park Residency, H.No.7-1-300,
(1 to 10 by RPAD)
11. 2 CCs to the Advocate General, High court of A.P.Hyd. (O.U.T)
12. One C.C.to Sri V. Rajagopal Reddy, Advocate. (OPUC)
13. One C.C.to Sri K.Ravindra Kumar, Advocate. (OPUC)
14. one spare copy.

Bsr

HIGH COURT

VE.J.

DATED 25-6-2007

Post W.Ps. after two months for reporting
With regard to the decision taken y the
Government.

ORDER

W.P.Nos: 1088 AND 2783 OF 2006

DIRECTION

Bsr
Dt. 9-7-2007

HIGH COURT

VE.J.

DATED 25-6-2007

Post W.Ps. after two months for reporting
With regard to the decision taken y the
Government.

ORDER

W.P.Nos: 1088 AND 2783 OF 2006

DIRECTION